



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

27th JANUARY 2022

**PROPOSED CESSATION OF THE CURRENT REVISED LOCAL
DEVELOPMENT PLAN (RLDP) AND PREPARATION OF A NEW RLDP
WITH EXTENDED PLAN PERIOD.**

**REPORT OF DIRECTOR OF PROSPERITY AND DEVELOPMENT IN
DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER CLLR BEVAN**

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1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to firstly provide an update to Members on the progress of the Revised Local Development Plan (RLDP). This indicates that although considerable work has been undertaken, we have been unable to meet the formal Delivery Agreement.
- 1.2 The report then sets out the most appropriate way to comply with our statutory duty to prepare a Development Plan for Rhondda Cynon Taf.

2. RECOMMENDATIONS

It is recommended that Cabinet:

- 2.1 Approve the cessation of the preparation of the Revised Local Development Plan (RLDP) 2020 – 2030.
- 2.2 Approve the proposal to begin a new RLDP with an amended and extended Plan period of 2022 – 2037. This is with the understanding that the majority of evidence base collected to date and preparation processes undertaken, can be carried forward, updated or revisited as necessary.
- 2.3 Approve that the Draft Delivery Agreement (DA), that sets out the Community Involvement Scheme and Timetable for the preparation of the new RLDP, be put out to targeted and public consultation. This is attached as Appendix 1 of this report.

- 2.4 Any appropriate and necessary amendments resulting from the consultation will be incorporated into a final DA. It is proposed that the recommendations in 2.1 and 2.2. above, along with the final DA, will be reported directly to Full Council in March. (This Full Council decision is required in order to seek agreement with Welsh Government to begin the preparation of the new RLDP).

3. REASONS FOR RECOMMENDATIONS

- 3.1 Considerable work has been undertaken on the preparation of the Revised LDP throughout the Covid pandemic. However, due to the restrictions this placed on the ability to fully engage with the public and commission the necessary consultancy advice, along with other external issues that have arisen; key elements of the RLDP preparation have not been completed within the formally agreed timescales.
- 3.2 Following consideration of all options, and in consultation with Welsh Government, it is proposed that we cease work on the current RLDP 2020 – 2030. In its place, we will begin a new RLDP, and this for the longer plan period of 2022 – 2037. This would allow for a Development Plan to be prepared for Rhondda Cynon Taf that fully responds to the key issues we now face, with Climate Change and carbon reduction at its core and a full and strategic approach to a post pandemic and post Brexit County Borough.

4. BACKGROUND

4.1 Current RLDP Progress to Date

- 4.2 Other Local Authorities in South East Wales who are working on their LDP, have experienced considerable slippage and postponements during this period. Despite the limitations the pandemic placed on the ability to commission consultants early in the preparation of the plan, on-boarding new staff and fully engaging with the public, considerable progress has been made on the Revised LDP and Preferred Strategy preparation to date. This includes:

4.3 Major evidence base collation;

- 19 Background Topic Papers, including analysis of the topic, up to date policy requirements for plan preparation and the identification of what further evidence is required on; housing, employment, retail, town centres, renewable energy, minerals, waste, climate change and carbon, natural environment, green wedges, well-being, transport and highways, tourism, gypsies and travellers, green infrastructure, culture heritage and Welsh language, leisure, land reclamation and special landscape areas.

- Preparation of a Settlement Assessment/Hierarchy Paper building a picture of evidence of all our towns and villages, what is in each one in relation to all LDP topics and also scope for development growth.
- Preparation of a draft Urban Capacity Study analysis for RCT, proactively looking at opportunities for development.
- Alongside professional consultants, preparation of the statutory Integrated Sustainability Appraisal (ISA) and Habitats Impact Assessment scoping process (including Sustainability Appraisals, Strategic Environmental Assessment, Health Impact Assessment, Equalities Impact Assessment, Welsh Language Impact Assessment and consideration of the WCFG Act and Environment Wales Act).
- A South East Wales Regional Strategic Flood Consequences Assessment has been commissioned and is underway, which will be followed by a specific RCT site specific assessment.
- Further evidence gathering and professional analysis is being commissioned on a number of Housing needs areas.
- A regional approach to identify suitable criteria for the assessment and identification of Green Wedges is ongoing.
- Working with two other Authorities to undertake bespoke evidence gathering to inform appropriate policy on Houses in Multiple Occupation.
- Discussion is in place with experts to undertake broad level development viability analysis across the County Borough.

Candidate sites

- Formulation of a comprehensive Candidate Site Assessment Methodology, and the subsequent Call for Candidate sites.
- An assessment of over 400 Corporate Estate sites to determine with their team which sites were to be submitted (being 34 in the end).
- These were part of the overall 220 sites submitted into the process by private landowners and developers for many uses and from 0.1 up to 100 hectares.

- Further undeveloped allocations from the current LDP will be added to this list, along with the most appropriate sites from the Urban Capacity Study
- The team are well underway on the comprehensive, detailed assessment of the sites.

Strategy preparation

- A number of 'Visioning' events have been prepared for, organised and undertaken. These were to determine the key Issues, Aims and Objectives to inform the Revised LDP. These were to determine more professional/personal/qualitative issues and objectives (beyond those in the ISA).
- There have been two engagement events with Officers from all sections of the Council, another two events with the specifically created Members Steering Group, another with the LDP Forum (set up for external key stakeholders and organisations), and a presentation to and discussion with, the RCT Climate Change Working Group.
- There has also been a 7 week RCT engagement for the Visioning process in July into August, consulting our identified organisations, all RCT staff, Members and general public alike, with online surveys and 'Lets Talk' RCT webpage platform utilised. There were over 60 full surveys completed and over 100 other individual comments received.
- The preparation of a Visioning Report is underway to gather, summarise and focus the significant information gathered above to appropriately evidence the next stages of the Revision process
- LDP Database. We have worked alongside colleagues in three other Local Authorities across the region to procure a bespoke LDP Database to record all representations to the RLDP; and for use by the Inspector.
- High level analysis of population projections that relate to actual housing number requirements and options.
- Evidence gathering from the two LDP Annual Monitoring Reports submitted in October for 2020 and 2021 brings forward further analysis of all LDP topic areas for RLDP preparation.
- Continued work with other departments to seek to incorporate all ongoing strategies and priorities into LDP Strategy preparation. Working alongside them to bring things forward that can help both parties and the Council collectively.

4.4 **Remaining Preferred Strategy Stage Tasks**

- Further evidence needs to be finalised in some key areas of housing need and market analysis, along with employment analysis and need. Including what we can undertake ourselves, with colleagues and also the need to procure externally.
- Candidate site assessment and analysis –more work is needed before we have a comprehensive picture of truly suitable sites that are also in the right locations; and to then meet our identified needs. This informs Strategy options.
- Finalisation of the Vision, Issues, Aims and Objectives Reports to also inform the Strategy options appropriately.
- Further consideration of the most appropriate Strategy and growth options to inform a final Preferred Strategy.
- Engagement with our forums such as the Member Steering group and LDP Forum.
- Once prepared, there is then further formal Integrated Sustainability Assessment required on these Strategy options and Preferred Strategy. Translation of the multiple documents referenced through this section would also need to take place (albeit incrementally).

5 REASONS TO CEASE THE PREPARATION OF THE CURRENT RLDP 2020-2030 AND PREPARE A NEW RLDP FOR 2022 – 2037.

- 5.1 As described above, we have not been able to accord with the Delivery Agreement (timetable agreed with WG) of the current RLDP as a number of tasks remain outstanding.
- 5.2 Discussions have taken place with the relevant officials at WG about the appropriateness of continuing with the current revision of the RCT LDP. The key issue is that the plan period agreed is up to 2030, with the adoption date being identified as early 2024. Any necessary extension of time now needed to prepare the agreed Revised LDP, would extend the adoption date into 2025. This would mean there is too short a time between adoption and the 2030 end of the Plan to deliver the land use allocations in it.

- 5.3 In technical planning terms, there is a clear concern in relation to one of the three 'Tests of Soundness' that the Planning Inspector will determine the RLDP upon. This considers whether they are confident that the RLDP can be implemented and delivered in this short time i.e. all its aims, objectives, strategy, and development of all site allocations.
- 5.4 It is therefore considered that the most appropriate option would be to cease preparation of the RLDP 2020 – 2030 and begin a new RLDP for 2022 -2037. Such a 15 year LDP plan period is standard.
- 5.5 Traditionally, much of an LDP evidence base has been trend-based analysis. However, many of the relevant circumstances relating to the LDP, and society in general, are continually changing throughout the ongoing covid pandemic. This has seen the need to consider a more evolving and uncertain evidence base. Many sectors and economic markets associated with the LDP are affected e.g. housing and commercial industries. As such, there is a need to stop and reset our understanding of things like the RCT housing market and more generally how people live their lives, how the retail world will operate, etc. This proposed new start date of the revision and the plan period will allow for a more up to date and appropriate collation and consideration of evidence.
- 5.6 Matters such as the Welsh Government planning Technical Advice Note 15 for flood risk also raises significant issues to consider and overcome in terms of allocation of sites and opportunities for development in our town centres.
- 5.7 Another issue that is relatively recent is how we address our responsibilities in relation to the regional supply of mineral aggregates for development (i.e. quarried stone).
- 5.8 Site delivery is another concern with regards to larger sites. It is likely that only the more small to medium sized sites could come forward in a shorter plan period. The 2037 end date could see more major strategic sites come forward to meet our needs, if necessary.
- 5.9 It is generally the case that the costs for preparing a RLDP would be very similar regardless of the length of the plan period. The 2037 end date would therefore allow more long-term benefits for the money spent, whilst taking away the uncertainty on spending on a shorter plan.
- 5.10 Furthermore, as set out above, giving due consideration to the evidence gathered to date, and the stages of engagement, consultation and call for candidate sites; it has been determined that the majority of this can be carried forward to the new RLDP. Some may need appropriate updating, whilst other procedural matters may need

formal re-running; albeit the processes already put in place would make things more straightforward.

5.11 Proposed Delivery Agreement and Timetable

5.12 As outlined above in section 2, Cabinet is requested to agree that we seek Council and WG approval to cease preparing the current RLDP and begin preparation of a new RLDP up to 2037. It is also considered that the LDP Member Steering Group is consulted on the proposals, and this likely between Private Cabinet and Cabinet meetings in January.

5.13 The DA for this new RLDP also needs to go out to targeted and public consultation in February before being reported back to Council for final approval. The proposed Draft DA is attached as Appendix 1 of this report and has two key elements; being the Community Involvement Scheme and Timetable. The Community Involvement Scheme identifies appropriate ways to engage and consult effectively with all stakeholders in the preparation of the RLDP process, including through online methods and this during the covid pandemic.

5.14 The Draft Timetable proposes to formally begin the 3.5 year RLDP preparation process in April 2022, following Full Council and Welsh Government agreement. Table 1 below indicates the key dates and timelines from April next year through to its earliest adoption in October 2025:

Table 1; New RLDP Summary of Timetable.

Key Stage	Date
Preparation of the Pre-Deposit Stage of the Revised LDP including the Preferred Strategy	From April 2022
Consultation on the Preferred Strategy	June/July 2023
Preparation of the Deposit Revised LDP	From August 2023
Consultation on the Deposit Revised LDP	July/August 2024
Submit Revised LDP to Welsh Government	November 2024
Independent Examination	April/May 2025
Adoption	October 2025

6 EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY

- 6.1 One of the main purposes of this Cabinet Report is to seek permission to prepare a new statutory Revised Local Development Plan in a new timeframe. As set out in section 4 above, the RLDP is subject to a bespoke and overarching Integrated Sustainability Appraisal (ISA). This ISA will assess each and every stage of the preparation of the LDP. There are multiple legislative facets to this, including an Equalities Impact Assessment.

7. WELSH LANGUAGE IMPLICATIONS

- 7.1 As above, the Cabinet Report is seeking permission to prepare a new RLDP, and it is subject to the Integrated Sustainability Appraisal (ISA). Another key element of the ISA is to undertake a Welsh Language Impact Assessment and at each stage of the LDP.

8. CONSULTATION / INVOLVEMENT

- 8.1 No formal consultation has yet taken place on the proposed new LDP. Once Cabinet approve the proposal, the new Review Report and DA will be placed out to targeted and public consultation.

9. FINANCIAL IMPLICATION(S)

- 9.1 The financial implication associated with this report remain in line with those agreed at the outset of RLDP preparation in September 2020. The overall cost of the preparation of the LDP (non staffing resources) is estimated to be £667,000. Considering banked reserves and continuing budgets, there is sufficient budget to cover these costs.

10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 10.1 The new LDP will be prepared in accordance with The Planning and Compulsory Purchase Act (2004), the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended 2015), Planning Policy Wales 2018, the Planning (Wales) Act 2015 and the Strategic Environmental Assessment (SEA), Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA).

11. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

How the subject of the report will contribute to the delivery of the Council's Corporate Priorities?

- 11.1 The production of a Local Development Plan will help to deliver the Council's three main corporate priorities of building a strong economy, promoting independence and positive lives for everyone and creating neighbourhoods where people are proud to live and work. The production of this land-use plan will help to stimulate the local economy through market and social house building, as well as providing for employment and retail development across the County Borough. Working together to shape our communities will instil a sense of pride and allow people to live and work independently, wherever they so choose. The LDP will also help to deliver the transport infrastructure that keeps the Rhondda Cynon Taf working and moving, in a sustainable way that benefits current and future generations.

How the Sustainable Development principle, i.e. the five ways of working has been considered?

- 11.2 The Local Development Plan will be a key project demonstrating the 5 ways of working in action:
- Integration - the preparation of the LDP will bring together all land use planning issues across the County Borough, involving our partners, residents, visitors, employers and service providers in the formulation of the Plan.
 - Collaboration - the LDP will be a key collaboration project for the region enabling stakeholders including residents to work together to form a Plan for the County Borough.
 - Involvement - preparation of the LDP will provide numerous opportunities to engage with our residents and customers, including the business community and ensuring that we are listening to a wide range of views to inform the plan and decision making process.
 - Prevention - the LDP provides an opportunity to understand the root causes of issues and preventing them by being proactive in our thinking and understanding the need to tackle problems at source for example by undertaking needs assessments to inform our priorities.
 - Long-term - the LDP will be all about planning for the future and taking a strategic approach to ensure the County Borough is sustainable and that we understand the future need and demand for sustainable development in the region and how that is best met.

How the subject of the report seeks to maximise the Council's contribution to seven national well-being goals?

11.3 The LDP will contribute to the seven well-being goals by working together with other public services and third sector organisations to improve the well-being of everybody in Wales. This new approach seeks to improve public services in a sustainable way, for the benefit of all. The LDP will help to ensure:

- A Prosperous Wales - the LDP will promote a productive, creative and low-carbon society that recognises the limits of our resources and global environment, by ensuring that our finite resources are used efficiently and proportionately. It will also help to develop a skilled, well-educated population to work within an economy that generates wealth and provides employment opportunities for all.
- A Resilient Wales - the LDP will help to ensure that the region maintains and enhances a bio-diverse natural environment with healthy, functioning ecosystems that support social, economic and ecological resilience with the ability to adapt to change.
- A Healthier Wales - the LDP aims to help build a society in which people's mental and physical well-being is maximised through access to green space, and helps to foster an understanding of choices and behaviours that benefit future health.
- A More Equal Wales - the LDP will seek to enable people to fulfil their potential no matter what their background or circumstances. It also aims to help communities effectively tackle the loneliness and isolation that can often exist within many of them.
- A Wales of Cohesive Communities - the LDP, via the place-making principle, will help to foster attractive, safe, viable and well-connected communities that improve the well-being of all residents and visitors.
- A Wales of Vibrant Culture and Thriving Welsh Language - the LDP will support a society that promotes and protects our culture, heritage and Welsh language, whilst encouraging people to participate in the arts, sport and recreation.
- A Globally Responsible Wales - the LDP will contribute towards Wales being a nation which, when doing anything to improve our economic, social, environmental and cultural well-being; will take account of whether doing such a thing makes a positive contribution to our global well-being.

Any other national strategies the subject of the report is seeking to address.

- 11.4 The Local Development Plan will need to be in general conformity with the aims and objectives of the National Development Framework, which sits above the LDP in the development plan hierarchy within Wales.

12. CONCLUSION

- 12.1 To conclude, it is recommended that approval is given to cease work on the preparation of the Revised Local Development Plan (RLDP) 2020 – 2030.
- 12.2 It is then recommended that approval is given to begin work on a new RLDP with an amended and extended Plan period of 2022 – 2037. This is with the understanding that the majority of evidence base collected to date and preparation process undertaken, can be carried forward, updated or re-visited as necessary.
- 12.3 Approve that the Draft Delivery Agreement (DA), that sets out the Community Involvement Scheme and Timetable for the preparation of the new RLDP, be put out to targeted and public consultation. This is attached as Appendix 1 of this report.
- 12.4 Any appropriate and necessary amendments resulting from the consultation will be incorporated into a final DA. It is proposed that the recommendations in 2.1 and 2.2. of this report, along with the final DA, will be reported directly to Full Council in March. The subsequent decision is required in order to seek agreement with Welsh Government to begin the preparation of the new RLDP.

Other Information:-

Relevant Scrutiny Committee

(Terms of Reference of each of the Scrutiny Committees to assist Officers with selecting the correct Committee.)

Contact Officer

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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Background Papers

**Appendix 1 – Draft Delivery Agreement for the Rhondda Cynon Taf
Revised Local Development Plan 2022 – 2037.**

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